

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF IOWA

Susan Thayer,  
  
Plaintiff,

v.

Planned Parenthood of the Heartland, Inc.,  
  
Defendant.

Case No. 4-11-cv-0129-JAJ

**AFFIDAVIT OF STAN THOMPSON**

STATE OF IOWA            )  
                                      )       SS  
COUNTY OF POLK        )

I, Stan Thompson, under penalty of perjury, do hereby state:

1.       I have practiced law in Iowa for 35 years, I am a senior shareholder in the Davis, Brown, Koehn, Shors & Roberts, P.C., a law firm in Des Moines.

2.       I am now the most senior shareholder in the litigation department of Davis Brown. I have tried scores of jury trials in federal and state court. I am recognized in the field of litigation in Chambers, Best Lawyers and Iowa Super lawyers and have an AV rating from Martindale-Hubbell. I served recently on the ISBA's Ethics and Practice Guidelines committee and have served as the chair of his firm's litigation committee on three occasions. *See Attached Thompson Biography.*

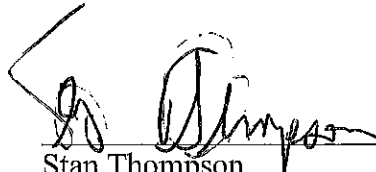
3.       My current hourly rate is \$385/hour and my rate was \$310/hour when I first became involved in this case in 2012. My rate through the years is reflected on the attached fee request.

4. My rates are consistent with the rates charged by senior Des Moines litigators.

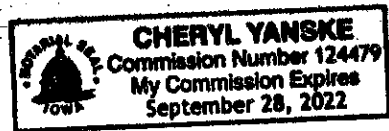
5. The range of my rates starting at \$310-/hour in 2012 up to \$385/hour in 2020 are reasonable in the community for the services I provided in this action.

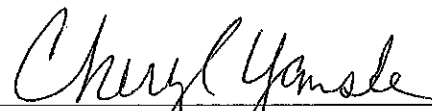
The affiant further sayeth not.

I, Stan Thompson, do hereby verify that the foregoing Affidavit is true and correct as I verily believe.

  
Stan Thompson

SUBSCRIBED AND SWORN to before me by the undersigned Notary Public on this 28th day of May, 2020.



  
NOTARY PUBLIC IN AND FOR  
THE STATE OF IOWA

# Exhibit 1

**Category 1-Pleadings, Briefs, Etc.**

<b>Date</b>	<b>Professional</b>	<b>Narrative</b>	<b>Hours</b>	<b>Hourly Rate</b>	<b>Value</b>	<b>LR 54A Code</b>
7/18/2012	SJT	Review First Amended Complaint; intra-office conference regarding suit and plan moving forward.	2.50	310.00	775.00	1
7/31/2012	SJT	Intra-office conference to discuss motion to unseal record and three prongs of motion to dismiss argument; review Thayer internet article; email from Kyle.	1.0	310.00	310.00	1
8/8/2012	SJT	Intra-office emails regarding status.	.20	310.00	62.00	1
8/14/2012	SJT	Preparation of appearance; emails regarding same.	.10	310.00	31.00	1
8/15/2012	SJT	Received voice message from Tiffany regarding request for oral argument; review Local Rule 7 and respond to inquiry; email from Tiffany with unresisted motion for additional time; received order granting extension to 11/30/12.	.20	310.00	93.00	1
9/18/2012	SJT	Email with three pro hac vice admission motions; email to counsel with comments.	.20	310.00	62.00	1

9/19/2012	SJT	Telephone conference with Tiffany regarding extension, telephone conference with Russ Hixson regarding extension to 10/31; email to Tiffany; received updated pro hac vice motions; attention to same.	.80	310.00	248.00	1
9/20/2012	SJT	Review filed pro hac vice motions	.10	310.00	31.00	1
9/24/2012	SJT	Received notice of receipt of pro hac vice fees; received order granting pro hac vice motions; received voice message from Tiffany regarding status of extension request.	.20	310.00	62.00	1
9/25/2012	SJT	Received letter from Russ Hixson regarding extension; emails to and from Tiffany.	.20	310.00	62.00	1
9/26/2012	SJT	Received draft motion and review; emails with Tiffany regarding comments.	.20	310.00	62.00	1
10/1/2012	SJT	Review plaintiff's resistance to motion for extension of time; email from Tiffany.	.30	310.00	93.00	1
10/5/2012	SJT	Received order granting motion for additional time to move or plead.	.10	310.00	31.00	1
10/17/2012	SJT	Review declination letter and related emails.	.20	310.00	62.00	1
10/25/2012	SJT	Review draft in support of motion to dismiss.	.90	310.00	279.00	1

10/29/2012	SJT	attention to filing of motion to dismiss and brief.	.10	310.00	31.00	1
11/6/2012	SJT	Emails from and to Tiffany regarding extension.	.10	310.00	31.00	1
11/15/2012	SJT	Received voice message regarding resistance due date; attention to court-generated due date of 11/16/12; intra-office conference; review resistance and 20-page brief in support of resistance.	.80	310.00	248.00	1
11/16/2012	SJT	Email from Tiffany regarding extension for reply.	.10	310.00	31.00	1
11/26/2012	SJT	Several emails regarding extension of time for scheduling order due to pending motion to dismiss; review plaintiff's statement of interest.	.30	310.00	93.00	1
11/27/2012	SJT	Review draft reply and respond.	.30	310.00	93.00	1
12/28/2012	SJT	Review ruling on motion to dismiss.	.40	310.00	124.00	1
1/25/2013	SJT	Review motion for pro hac vice admission for two DC attorneys from Alliance Defending Freedom; review order granting motion; intra-office emails; review Motion to Alter	.40	.40	128.00	1

1/28/2013	SJT	Review Plaintiff's Brief and Declarations.	.70	320.00	224.00	1
2/4/2013	SJT	Review Susan Thayer's attachment to declaration with 110 specific names.	.10	320.00	32.00	1
2/7/2013	SJT	Review resistance to motion to amend or alter judgment; email comments regarding same.	.40	320.00	128.00	1
2/22/2013	SJT	Review Thayer's reply.	.20	320.00	64.00	1
2/27/2013	SJT	Review Judge Jarvey's order denying post-judgment relief; email from Tiffany regarding same.	.40	320.00	128.00	1
3/13/2013	SJT	Review Notice of Appeal and Appellant Form A.	.20	320.00	64.00	1
3/20/2013	SJT	Review Supplemental Notice of Appeal Form.	.10	320.00	32.00	1
3/27/2013	SJT	Received Clerk's letter and briefing scheduling; attention to named appellant and appellee; review revised briefing scheduling reflecting Thayer as appellant; email to T. Amlot regarding filings.	.20	320.00	64.00	1

3/29/2013	SJT	Review Norton and Hixson appearances in Eighth Circuit.	.10	320.00	32.00	1
4/4/2013	SJT	Review corporate disclosure; draft appearance and file with court.	.10	320.00	32.00	1
4/9/2013	SJT	Email from Norton regarding joint appendix; email from Jonathan Wilson clarifying same.	.10	320.00	32.00	1
4/10/2013	SJT	Email from T. Amlot regarding joint appendix; review Thayer's method of appendix, designation of appendix and certificate of transcript.	.30	320.00	96.00	1
5/6/2013	SJT	Attention to notice from 8th Circuit; review Appendix; review Brief.	.70	320.00	224.00	1
5/20/2013	SJT	Emails with Tiffany regarding request for extension of time to file brief.	.20	320.00	64.00	1
6/17/2013	SJT	Review draft appellee brief and note comments; intro-office conference regarding brief; review changes and email to Denton.	1.40	320.00	448.00	1



6/18/2013	SJT	Emails regarding use of regulations in addendum; review 8th Circuit Rule 28A.	.30	320.00	96.00	1
6/19/2013	SJT	Review PPH's filed brief and addendum.	.20	320.00	64.00	1
6/20/2013	SJT	Attention to filed brief and addendum.	.20	320.00	64.00	1
7/13/2013	SJT	Review notice regarding oral argument dates and emails regarding same; review letter to court regarding availability.	.20	320.00	64.00	1
7/15/2013	SJT	Review Thayer's reply brief.	.30	320.00	96.00	1
10/18/2013	SJT	Received order setting oral argument for November 20 in Omaha; attention to same.	.20	320.00	64.00	1
10/25/2013	SJT	Email to Attorney Amlot regarding three panel court; email to Jonathan Wilson.	.20	320.00	64.00	1
11/13/2013	SJT	Telephone conference with Tiffany Amlot regarding three judges and 8th Circuit protocol.	.30	320.00	96.00	1
1/30/2014	SJT	Review Rule 28(j) filing - Dunn v. Memorial Hospital.	.10	330.00	33.00	1

2/4/2014	SJT	Review Thayer's Response to 28(j) citation.	.10	330.00	33.00	1
8/29/2014	SJT	Review 8th circuit decision and letters from clerk.	.50	330.00	165.00	1
9/18/2014	SJT	Intra-office conference regarding further proceedings and attention to same; set conference call with Tiffany Amlot for Monday 9/22 at 10:30.	.30	330.00	99.00	1
9/19/2014	SJT	Emails with Mike Norton and Tiffany Amlot regarding amending complaint and mandate.	.20	330.00	66.00	1
9/22/2014	SJT	Intra-office conference; telephone call with Tiffany and Amlot regarding request for unopposed amendment and interest in expanded Rule 12(b)(6) briefing; email regarding 8th Circuit practice on panel hearing second appeal; email from Tiffany Amlot requesting copy of amended complaint; intra-office conference on supplemental briefing question; email to Tiffany regarding same panel from additional appeal and supplemental briefing question.	1.20	330.00	396.00	1

9/23/2014	SJT	Review red-line version of proposed second amended complaint.	.30	330.00	99.00	1
9/25/2014	SJT	Email from Mike Norton regarding proposed amendment; email from Tiffany Amlot that PPH will oppose amendment.	.20	330.00	66.00	1
10/20/2014	SJT	Review order granting pro hac vice motion and reply to resistance to motion for leave to amend.	.30	330.00	99.00	1
11/9/2014	SJT	Received order granting motion for leave to file amended complaint; review amended complaint	.20	330.00	66.00	1
11/17/2014	SJT	Emails with Tiffany Amlot regarding motion for extension of time; review filed motion.	.30	330.00	99.00	1
11/18/2014	SJT	Review order granting motion for additional time.	.10	330.00	33.00	1
12/5/2014	SJT	Email from Tiffany Amlot with attached draft brief in support of motion to dismiss third amended complaint; additional emails regarding approval and filing of motion to dismiss.	.70	33.00	231.00	1
12/16/2014	SJT	Email from Mike Norton regarding motion to strike; emails with Tiffany Amlot regarding brief schedule.	.20	330.00	66.00	1

12/19/2014	SJT	Review Tiffany Amlot's email to Mike Norton on briefing schedule.	.10	330.00	33.00	1
12/22/2014	SJT	Emails with Tiffany Amlot regarding briefing schedule and call to Judge Bremer.	.10	330.00	33.00	1
12/23/2014	SJT	Email from Tiffany Amlot regarding call to Judge Bremer on briefing schedule for motion to dismiss and motion to strike; review Judge Jarvey's text order on briefing schedule.	.20	330.00	66.00	1
1/17/2015	SJT	Review draft resistance to Plaintiff's motion to strike.	.30	340.00	102.00	1
2/9/2015	SJT	Review Thayer's reply to Planned Parenthood's resistance to motion to exclude or strike.	.30	340.00	102.00	1
2/18/2015	SJT	Reviewed ruling denying motion to strike.	.20	340.00	68.00	1
2/23/2015	SJT	Reviewed plaintiff's unopposed motion for extension of time.	.10	340.00	34.00	1
2/25/2015	SJT	Review order re-setting deadlines.	.10	340.00	34.00	1
4/3/2015	SJT	Reviewed Thayer's Brief in Resistance to Motion to Dismiss.	.40	340.00	136.00	1

4/30/2015	SJT	Reviewed reply brief supporting motion to dismiss; email to Tiffany Amlot regarding same.	.40	340.00	136.00	1
6/22/2016	SJT	Reviewed ruling denying in part Motion to dismiss.	.50	340.00	170.00	1
6/24/2016	SJT	Intra-office conference regarding Order on Motion to Dismiss and strategy moving forward; attention to intra-office emails regarding conference call on 6/28 at 4:30	.40	340.00	136.00	1
6/28/2016	SJT	Further review of ruling on motion to dismiss to determine issues moving forward and prepare for conference call today; intra-office conference regarding status.	.90	340.00	306.00	1
6/30/2016	SJT	Reviewed motion for extension of time to file answer and reply.	.10	340.00	34.00	1
7/6/2016	SJT	Review Order granting extension of time; review order regarding setting scheduling conference for July 27.	.20	340.00	68.00	1
7/22/2016	SJT	Reviewed Amlot email regarding review of answer.	.10	340.00	34.00	1
8/2/2016	SJT	Reviewed Tiffany email and reply; review of answer	4.0	340.00	1,360.00	1

8/3/2016	SJT	Reviewed draft answer (40 pages) and protective order and letter regarding medical records and financial information; email to SJF regarding same.	1.50	340.00	510.00	1
4/25/2018	SJT	Attention to TLu email regarding LR 56 (e) on affidavit to support documents used in MSJ Appendix, rev'd LR56 and replied, add'l emails with TLu regarding affidavit.	.30	360.00	108.00	1
5/3/2018	SJT	TCW KRodriguez for quick update on today's hrg and new Motion for Summary Judgment deadline of 5/15 and 56(d) deadline of 5/30; rev'd Judge Bremer order granting 4th MTC as narrowed and setting various MSJ related d deadlines.	.40	360.00	144.00	1
5/10/2018	SJT	Rec'd TLu email regarding local practice regarding cites to complaint in Motion for Summary Judgment, attention to LR 56(e) and reply to TLu; attention to CWhite email regarding Motion for Summary Judgment filing issue.	.40	360.00	144.00	1
5/11/2018	SJT	Rec'd JPark email regarding filing questions for Motion for Summary Judgment; attention to same; reply to JPark regarding same.	.40	360.00	144.00	1

5/14/2018	SJT	Rev'd KRodriguez email and draft Motion for Summary Judgment Memo, Statement of Facts and Jennifer Warren-Ulrick's Declaration; reply to KRodriguez; rev'd Thayer mtn to file Motion for Summary Judgment under seal.	.90	360.00	324.00	1
5/15/2018	SJT	Rev'd draft motions from Jae Park and comment.	.20	360.00	72.00	1
5/17/2018	SJT	Rev'd Thayer's Motion for Summary Judgment brief (35 page PDF).	.80	360.00	288.00	1
5/29/2018	SJT	Rev'd motion and brief regarding DOJ request to amend PO so DOJ can review MSJs; rec'd TLu email regarding order granting DOJ motion, rev'd order, telephone conference with Judge Bremer's clerk-order withdrawn, email regarding same and rev'd order withdrawing prior order.	.70	360.00	252.00	1
6/12/2018	SJT	Telephone Conference with T. Lu regarding resistance facts to Motion for Summary Judgment.	.40	360.00	144.00	1
6/13/2018	SJT	Rev'd PPH's 23 page resistance to DOJ's motion regarding protective order, rev'd and responded to T. Lu email regarding Motion	.50	360.00	180.00	1

		for Summary Judgment appendix issues.				
6/13/2018	SJT	Rev'd DOJ reply and Ex. A and B thereto.	.30	360.00	108.00	1
6/14/2018	SJT	Rev'd Thayer's motions to file under seal and over length brief and text orders granting same; rev'd draft resistance to Thayer's Motion for Summary Judgement (36 pages) and email to K. Rodriguez and Jonathan Wilson regarding same.	1.30	360.00	468.00	1
6/15/2018	SJT	Rev'd K. Rodriguez email and attached resistance to Thayer SUMF and separate stmt of addl facts and reply; rev'd numerous emails for K. Rodriguez and others regarding Thayer filing materials that were not under seal, reply with solution to email Magistrate Bremer in the morning.	.80	360.00	288.00	1
6/16/2018	SJT	Email to Magistrate Bremer regarding filing by Thayer of materials the were not under seal; rev'd emails of Hixon, Magistrate Bremer and John Courter indicating materials have been sealed along with other emails.	.50	360.00	180.00	1



6/18/2018	SJT	Rev'd Thayer's Brief resisting PPH Motion for Summary Judgment, attention to emails and related other filings; emails with K. Rodriguez regarding call today; rev'd R. Hixson email on disclosure and Magistrate Bremer reply regarding same	2.10	360.00	756.00	1
6/22/2018	SJT	Attention to email regarding pro hac vice admission for C. Miltich and rev'd numerous emails regarding submittal and filin same; rev'd draft reply brief; rev'd order granting pro hac vice motion.	.80	360.00	288.00	1
6/28/2018	SJT	Hrg with Magistrate Bremer and counsel and DOJ (portion) regarding amending PO for access to certain filings by DOJ and hrg on request for depo of person who submitted affidavit for PPH.	.80	360.00	288.00	1
6/29/2018	SJT	Rev'd Thayer's mtn regarding Simer Affid; Telephone conference with K. Rodriquez regarding assignment of MTS on Motion for Summary Judbment issue to Magistrate Judge Bremer; rev'd brief (16 pages) in support of mtn to strike, mtn to strike and supporting exhibits.	.70	360.00	252.00	1

16/30/2018	SJT	Rev'd Local /Rule 72 for scope of Magistrate Judge authority over discovery/MSJ based on inquiry by K. Rodriquez regarding same.	.30	360.00	108.00	1
71/2/2018	SJT	Rec'd JPark mtn for addl 7 days to resist motion, rev'd RHixson response, TCW KRodriguea regarding LR 72 and authority of Magistrate Judge Bremer to rule on DN 253, 254, detailed email with attachment from LR 72 and motions 253-254 regarding same to Alan Gilbert and KRidriguez with recommendation not to contact Judge Bremer's chambers based on LR 72.	.60	360.00	108.00	1
7/5/2018	SJT	Rev'd resistance to various motions re: Simer affidavit	.20	360.00	72.00	1
7/9/2018	SJT	Rev'd order on extn of time, rev'd JPark email regarding why 2 days less granted on exstn, reply and rev'd Reply Brief of Thayer on MTS.	.40	360.00	144.00	1
7/10/2018	SJT	Rev'd DN 255 and text order granting extn to 7/18, but not 7/20 as requested, telephone conference with Judge Bremer's judicial assistant regarding the same and email JPark; telephone conference with Melainie from	.30	360.00	108.00	1

		Judge Bremer's chambers and she did consciously select 7/18 and email to JPark regarding same.				
17/12/2018	SJT	Rev'd RHixson email and attachment regarding add'l sampling.	.20	360.00	72.00	1
71/20/2018	SJT	Rev'd PPH resistance to motion to strike public disclosure defense and supporting Ex. 1-6	.30	360.00	108.00	1
7/23/2018	SJT	Rev'd order amending protective order, rev'd amended protective order and rev'd order denying Thayer motion to strike Simer affidavit and motion to strike public disclosure defense.	.60	360.00	216.00	1
7/217/2018	SJT	Rev'd Thayer's reply to Motion for Summary Judgment and sur-reply to PPH's Motion for Summary Judgment and Ex. A-G (Iowa Code revisions, AG opinions and Simer CV); Rev'd KRodriguez email to DOJ attorneys and email with link to Motion for Summary Judgment filings as ordered.	1.00	360.00	360.00	1
7/30/2018	SJT	Rev'd KRodriguez email regarding Thayer's brief has portions that should be under seal; telephone conference with K Rodriguez regarding same and appeal of	.30	360.00	108.00	1

		ruling and sur-reply to Thayer's newly discovered authority.				
18/2/2018	SJT	Rec'd CWhite's email and mtn for sur-reply and sur-reply; email to Susan Freed regarding Iowa statute issue raised, rev'd SJF reply and Jonathan Wilson's comments.	.40	360.00	144.00	1
8/6/2018	SJT	Rec'd KRodriguez email regarding cover filing for brief re objections to Magistrate Bremer's ruling on DOJ access to Motion for Summary Judgment filings, rev'd LR 72A and reply.	.30	360.00	108.00	1
8/20/2018	SJT	Rev'd DOJ's response to appeal of Judge Bremer decision.	.30	360.00	108.00	1
8/27/2018	SJT	Rec'd DOJ's filing that it won't file statement of interest based on review of MSJ.	.20	360.00	72.00	1
8/28/2018	SJT	Rev'd PPH Reply to support appeal of Magistrate's decision	.20	360.00	72.00	1
8/29/2018	SJT	TCW KRodriguez regarding question on attorney-client privilege under Iowa law and Tuasz case on presence of accountant.	.50	360.00	180.00	1
10/1/2018	SJT	Rev;d Judge Jarvey's opinion affirming Judge Bremer of Protective Order ruling.	.20	360.00	72.00	1

4/1/2019	SJT	Reviewed 36 pages Motion for Summary Judgment ruling, email Jonathan Wilson and Susan Freed regarding same; telephone conference with K Rodriguez regarding ruling an impact-still have claims on abortion remaining.	1.00	375.00	375.00	1
10/4/2019	SJT	Rev'd joint agenda for 10-8-19 conference addressing Motion for Summary Judgment schedule for Phase II claims on Medicaid billing.	.10	375.00	37.50	1
12/3/2019	SJT	Reviewed K Rodriguez email, reviewed Jonathan Wilson's red-lines on Motion for Summary Judgment brief.	.50	375.00	187.50	1
12/4/2019	SJT	Reviewed Motion to file brief under seal and text order granting same.	.10	375.00	37.50	1
12/5/2019	SJT	Reply to K Rodriguez email regarding request for page extension on MSJ brief, attention to C White emails regarding filing of appendix and size of same. email internally to CCAR.	.40	375.00	150.00	1
12/6/2019	SJT	Rev'd various MSJ filings from C White, reviewed same, and replied to C White regarding same, replied to K Rodriguez inquiry on Table of Contents in brief.	.50	375.00	187.50	1

12/9/2019	SJT	Reviewed text order granting motion for over-length brief.	.10	375.00	37.50	1
1/6/2020	SJT	Reviewed C White email regarding compressed portions of appendix and reply regarding remedy to situation.	.10	385.00	38.50	1
1/14/2020	SJT	Reviewed C White email and PACER notice regarding supplementing appendix.	.10	385.00	38.50	1
1/16/2020	SJT	Reviewed draft resistance to Thayer Motion for Summary Judgment on post-abortion services (24 pages)	1.00	385.00	385.00	1
1/21/2020	SJT	Reviewed Thayer's resistance papers to Motion for Summary Judgment, including brief and resistance SOUMF.	1.00	385.00	385.00	1
1/30/2020	SJT	Reviewed PPH's reply brief in support of Motion for Summary Judgment (13 pages); reviewed text order granting additional pages; reply to C White regarding reply brief.	.50	385.00	192.50	1
5/19/2020	SJT	Rev'd Judge Jarvey's ruling on cross-MSJs on Count II and judgment entry in favor of PPH (35 pages), email K Rodriguez; rev'd email from RHixson regarding appeal.	1.30	385.00	500.50	1

5/20/2020	SJT	Rev'd judgment entry.	.10	385.00	38.50	1
5/26/2020	SJT	Rev'd K Rodriguez email regarding cost and fee appn; rev'd local rules 54 and 54a, reply email.	.30	385.00	115.50	1
5/27/2020	SJT	Rev'd fee app'n and brief in recent SJT case awarding attorney fees in federal court, conference with KRodriguez and C Shite	1.00	385.00	385.00	1
5/28/2020	SJT	Draft affidavit regarding fee request.	.30	385.00	115.50	1
5/9/2019	SJT	Reviewed draft resistance to Thayer's Motion to reconsider and reply to C White regarding same.	.30	375.00	112.50	1
6/5/2019	SJT	Rev'd ruling denying Thayer's mtn to reconsider in its entirety	.30	375.00	112.50	1
<b>Category 1- Total</b>			<b>59</b>		<b>\$20,247</b>	

<b>Category 2- Research</b>						
11/19/2012	SJT	Received voice message from Tiffany regarding request for oral argument; review Local Rule 7 and respond to inquiry; email from Tiffany with unresisted motion for additional time; received order granting extension to 11/20/12.	.30	310.00	93.00	2
<b>Category 2 Total</b>			<b>.3</b>		<b>93</b>	
<b>Category 3- Investigation</b>						
10/10/2012	SJT	Email with newsletter article regarding Susan Thayer.	.20	310.00	62.00	3
10/23/2012	SJT	Review preservation letter from M. Kuipers	.20	310.00	62.00	3
10/24/2012	SJT	Telephone conference with T. Amlot regarding preservation letter and brief.	.30	310.00	93.00	3



11/7/2012	SJT	Review T. Amlot's letter to plaintiff's counsel regarding ESI.	.10	310.00	31.00	3
11/29/2012	SJT	Received order regarding date for initial disclosures.	.10	310.00	31.00	3
1/16/2018	SJT	Reviewed 3 filings regarding motion for extension of time regarding scheduling order.	.10	360.00	36.00	3
1/17/2018	SJT	Reviewed Joint Agenda for tomorrow's call; reviewed 30(b)(6) notice and defendant's objections thereto.	.50	360.00	180.00	3
1/18/2018	SJT	Status conference hearing with Judge Bremer and counsel; attention to post conference emails and new deposition schedule; left voice message for KRodriguez regarding local counsel obligation to attend deposition; reviewed order, telephone conference with KRodriguez regarding deposition participation.	1.30	360.00	468.00	3
1/19/2018	SJT	Attention to Thayer's recent interrogatories answers, left voice message for Susan Freed regarding Iowa nurses who are expert witness candidates; email to SJF regarding same; further review of Magis Judge Bremer's order; conference with	.50	360.00	180.00	3

		SJF regarding Iowa experts.				
1/25/2018	SJT	Attention to KRodriguez email on deposition location for witness from Stanton, IA and update on Iowa expert; email to KRodriguez regarding same and Susan Freed email update.	.40	360.00	144.00	3
1/29/2018	SJT	Reviewed SJF email and KRodriguez reply regarding potential Iowa-based expert; received email with subpoena rider and reply.	.10	360.00	36.00	3
2/1/2018	SJT	Attention to deposition schedules and Estes deposition; attention to 100 mile issue on production of documents and emails regarding same.	.30	360.00	108.00	3
2/2/2018	SJT	Further attention to subpoena of documents and location v. mailing to DB Law Firm and service regarding same; attention to RHixson email and KRodriguez email.	.60	360.00	216.00	3
2/7/2018	SJT	Emails with Jonathan Wilson regarding February deposition and coverage.	.10	360.00	36.00	3
2/8/2018	SJT	Deposition of Thayer.	5.00	360.00	1,800.00	3

2/13/2018	SJT	Rev'd Tony's email regarding subpoena fee and reply and raised telephone depo for 2/20 and 2/21; attention to same; telephone conference with RHixson regarding telephone attendance and raised conflict of interest issue; same.	1.10	360.00	396.00	3
2/20/2018	SJT	Attend depo of D. Larsen and meeting with Jennifer and Kristen afterwards.	3.30	360.00	1,188.00	3
2/21/2018	SJT	Rev'd 2/20/18 Ltr to Hixson regarding: personnel at various locations; meeting with Kristen and Jen; attend depo of Jen.	8.00	360.00	2,880.00	3
2/23/2018	SJT	Attention to Laube/Easter depo call-in and email to Tony regarding same; attention to Estes non-response to subpoena duces tecum and email to Tony regarding same; rec'd Tony reply, rev'd Jenny's email regarding call to Pam Estes, email to Tony regarding same.	.60	360.00	216.00	3
2/24/2018	SJT	Rev'd RHixson ltr regarding 3 HR files needed.	.10	260.00	36.00	3
2/27/2018	SJT	Depo of Laube; telephone conference with Tony Lu re Laube depo, Easter prep and case status.	4.10	360.00	1,476.00	

2/28/2018	SJT	Telephone participation in depo of Marj Easter, attention to CWhite email regarding pro hac vice and FOIA request; email Susan Freed, rev'd reply, conference with KMCC regarding same; attention to KMCC email and attachments for open records request.	2.50	360.00	900.00	3
33/1/2018	SJT	Telephone conference with RHixson, telephone conference with Deb Tharnish; telephone conference with Tony Lu and email to RHixson; rev'd Rule 32:5:5(c) and email to Tony/Kristen regarding same; telephone conference with Tony regarding same; telephone conference with RHixson, rev'd KMCC draft open records request letter.	2.50	360.00	900.00	3
3/5/2018	SJT	Attention to RHixson email re: Pam Estes attendance at depo; attention to KRodriguez email regarding nursing scope of practice; conference w, JRLB and email regarding same.	.40	360.00	144.00	3
3/7/2018	SJT	Meeting with Sue Haskell and Kristen and Tony, depo of Sue Haskell, email depo notes to JCW.	6.70	360.00	2,412.00	3

3/8/2018	SJT	Attend Pam Estes depo and related research issue	7.20	360.00	2,592.00	3
3/9/2018	SJT	Rev'd Hixson proposed agenda for upcoming status conference and email Jonathan Wilson regarding same, attention to portion of Judge Jarvey's order on issue of no prior order for OCPs from clinician (authorized practitioner).	.30	360.00	108.00	3
3/14/2018	SJT	Rev'd all of Thayer depo exhibits and Laube depo exhibits and notes regarding same.	1.10	360.00	396.00	3
3/15/2018	SJT	Rev'd text minute order; several Hixson letters and supp to IDs	.30	360.00	108.00	3
3/19/2018	SJT	Rev'd JCW notes from status conference.	.10	360.00	36.00	3
3/22/2018	SJT	Rev'd Park email regarding affidavit to authentic document produced by no-party; rev'd image and found same; reply to Park.	.40	360.00	144.00	3
3/29/2018	SJT	Rev'd Joint Status report on PPFA policy mtn to compel and pending depo.	.10	360.00	36.00	3
4/4/2018	SJT	Rev'd Thayer's 4th MTC	.20	360.00	72.00	3

4/19/2018	SJT	Rev'd PPH resistance to Thayer's 4th MTC.	.30	360.00	108.00	3
4/24/2018	SJT	Rev'd plaintiff reply to PPH resistance to 4th MTC and exhibits; rec'd KRodriguez vm regarding 5/3/MTC hrg is after 5/1 Motion for Summary Judgment deadline and wants Motion for Summary Judgment re-set; telephone conference with Judge Bremer's clerk regarding same; telephone conference with RHixson regarding same; email to KRodriguez regarding same; rev'd text order re-0setting Motion for Summary Judgment deadline and reply to CWhite email on form for MSJ.	1.00	360.00	360.00	3
4/30/2019	SJT	Reviewed Thayer's motion and brief seeking reconsideration pursuant to Federal rules of civil procedure 54(b) (24 pages brief); reviewed local rules for resistance deadline and email K Rodriguez regarding same; reviewed order granting motion to file under seal.	.80	375.00	300.00	3
5/4/2019	SJT	Reviewed stipulation and plan for 5/7/19 status conference.	.30	375.00	112.50	3

5/8/2019	SJT	Reviewed Jonathan Wilson's notes from hearing and order regarding same.	.30	375.00	112.50	3
7/18/2019	SJT	Respond to C White email regarding expert deposition dates; reviewed C White email to R. Hixson regarding same.	.20	375.00	75.00	3
7/19/2019	SJT	Rev'd C White email regarding expert deposition on 8/16 and email to confirm conference room.	.10	375.00	37.50	3
8/8/2019	SJT	Reviewed 21 pages (single spaced) Knau supplemental interrogatories answer to rebut Singer report.	.90	375.00	337.50	3
8/13/2019	SJT	Reviewed emails regarding Thayer affidavit in support of expert report and reviewed same; telephone conference with Carter regarding Knau deposition and post 124 day claims.	.40	375.00	150.00	3
8/16/2019	SJT	Attend deposition of Thayer Expert W. Knau taken by C White.	8.50	375.00	3,187.50	3
<b>Total for Category 3</b>			<b>61.6 hours</b>		<b>\$22,303.5</b>	

<b>TOTAL FEE REQUEST</b>			<b>120.9 hours</b>		<b>\$42643.50</b>	
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# Exhibit 2

## STANLEY J. THOMPSON

STANTHOMPSON@DAVISBROWNLAW.COM

**“Bright, has in-depth knowledge of the court system and developing case strategies, and is immediately responsive to client inquiries.”**

*Chambers USA, Reference Feedback*

Stan is an experienced and preeminent Iowa commercial litigator tackling complex issues. Stan's clients - Iowa banks, businesses, medical practices, and construction companies - depend on him for his ability to efficiently process often complicated information as he works toward a solution in their case.

In his over 30 years of experience, Stan has handled numerous types of litigation in several industries - manufacturing, construction, healthcare, and financial institutions. Today, his practice focuses mainly on commercial and complex business litigation, specifically disputes amongst partnerships, LLCs, and trusts, and construction disputes.

A growing area of Stan's practice is advising and representing medical practice groups and individual physicians on various business matters, including non-compete agreements, disputes involving members of ambulatory surgery centers, review of contracts for construction on new facilities, and contracts to provide services to third parties.

### REPRESENTATIVE EXPERIENCE

**“Committed, practical and experienced in every aspect of trial.”**

*Chambers USA, Reference Feedback*

- Obtained verdict against regional bank on behalf of a client on claims of fraudulent misrepresentation and violation of a bank tying statute. The jury awarded the client \$545,000 in actual damages and \$4 million of punitive damages. The case was covered in the *Des Moines Register*, *Business Record*, and *Sioux City Journal* among others.
- Defending six doctors and others in a dispute involving a non-compete agreement with an existing ambulatory surgery center. After the judge imposed an injunction on his clients, Stan presented evidence to convince the judge that the injunction should be lifted on two of the doctors. The case, which involves the construction of a new medical office facility by Riverview Realty, has been covered in the *Sioux City Journal*.
- Garnered a significant victory for MidWestOne Bank & Trust which was sued by a Fortune 500 company represented by a national law firm. The lawsuit involved multimillion-dollar claims based on trade secret misappropriation, aiding and abetting, and conspiracy. The two-week jury trial in the U.S. District Court for the Southern District of Iowa culminated in a complete defense verdict for Stan's client who was found not liable on any ground.
- Earned a defense verdict on a dispute between two businesses regarding a merger; the verdict was later affirmed on appeal.
- Prevailed on a motion to dismiss a shareholder suit which was affirmed at the 8th Circuit and the U.S. Supreme Court denied certiorari.
- Successfully argued a bondholder case to the Minnesota Supreme Court which unanimously reversed the district court and court of appeals decisions on a pleading issue.
- Successfully defended a cooperative on the trial of claims brought involving future contracts.
- Litigated bondholder claims for a receivership in a high-profile case involving an Iowa water district.
- Handled a trademark dispute for an Iowa company in the federal court for the Northern District of California.
- Successfully settled a multimillion-dollar property damage claim against the Army Corp of Engineers for the 2011 record flooding along the Missouri River.
- Adversary Proceeding in federal bankruptcy court regarding governance issues under the Iowa Limited Liability Partnership Act.



### CONTACT INFORMATION

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BORN  
RED OAK, IOWA

EDUCATION  
IOWA STATE UNIVERSITY (B.A.,  
WITH DISTINCTION, 1982)

GEORGE WASHINGTON  
UNIVERSITY (J.D., WITH  
HONORS, 1985)

ADMITTED TO BAR  
1985, IOWA

AREAS OF LAW  
ANTITRUST LAW  
BUSINESS LITIGATION  
COMMERCIAL LITIGATION  
CONSTRUCTION LAW  
INSURANCE DEFENSE  
LITIGATION

MEMBERSHIPS  
DEFENSE RESEARCH  
INSTITUTE (DRI)  
IOWA STATE BAR  
ASSOCIATION  
LITIGATION COUNCIL OF  
AMERICA  
POLK COUNTY BAR  
ASSOCIATION

## STANLEY J. THOMPSON

STANTHOMPSON@DAVISBROWNLAW.COM



- Represented client in a dispute valued at \$2.5 million concerning alleged breaches of fiduciary duties and illegal handling of assets in a grantor trust.

### REPRESENTATIVE CLIENTS

- Iowa Orthopedics Center
- Ag Processing, Inc.
- TriState Specialists, LLC
- Iowa State University Alumni Association
- Graham Construction Company

### AWARDS & HONORS

- AV® Preeminent™ rated by Martindale-Hubbell. An AV certification mark is a significant rating accomplishment - a testament to the fact that a lawyer's peers rank him or her at the highest level of professional excellence. Stan was also named "*Top Rated Lawyer in Construction*" by Martindale-Hubbell™ and American Lawyer Media.
- *Chambers USA*, Litigation: General Commercial, Iowa Ranked Band 4, 2019. Stan has been ranked by Chambers for several years.
- *The Best Lawyers in America*® 2019, Commercial Litigation and Litigation - Antitrust. Stan has been ranked since 2008.
- 2018 *Great Plains Super Lawyers*, Business Litigation. Stan has been ranked since 2007.
- 2014 *Super Lawyers Business Edition*, Business Litigation

### OF NOTE

Stan completed two highly competitive campaigns that gained national recognition for a seat in the U.S. House of Representatives in 2002 and 2004.

### PERSONAL

He resides in Clive with his wife, Nancy, and has four adult children.



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